

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

MICHAEL POTTER,)	Case No. 1:04CV2161
)	
Petitioner,)	
)	
vs.)	Judge Ann Aldrich
)	
RICH GANSHEIMER, Warden)	Magistrate Judge Vecchiarelli
)	
Respondent.)	<u>ORDER</u>

The Court has filed its Memorandum and Order adopting the Magistrate Judge's Report and Recommendation denying Potter's petition for a writ of habeas corpus under 28 U.S.C. §2254. Therefore,

IT IS ORDERED that Potter's petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 (Doc. No. 1) is denied, and this action is dismissed. Further, the Court certifies, pursuant to 28 U.S.C. §1915(a)(3), that an appeal from this decision could not be taken in good faith, and that there is no basis upon which to issue a certificate of appealability. 28 U.S.C. §2253(c); Fed. R. App. P. 22(b).

/s/Ann Aldrich
ANN ALDRICH
UNITED STATES DISTRICT JUDGE

Dated: April 11, 2006